

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION**

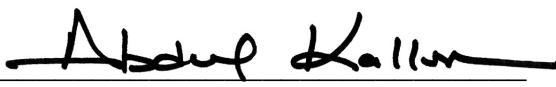
GARY WAYNE MORGAN, JR., )  
Petitioner, )  
v. ) CIVIL ACTION NO. 6:10-cv-183-ACK-PWG  
ATTORNEY GENERAL FOR THE STATE )  
OF ALABAMA, )  
Respondents. )

**MEMORANDUM OF OPINION**

The magistrate judge filed findings and recommendation on February 3, 2011, recommending that the petition for writ of habeas corpus be dismissed as untimely and procedurally barred. On February 23, 2011, petitioner filed objections to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED. A Final Judgment will be entered.

Done the 28th day of February, 2011.

  
**ABDUL K. KALLON**  
UNITED STATES DISTRICT JUDGE